

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

**TIMOTHY J. GAUTHIER AND GARTH
BACHMAN, TRUSTEES OF THE
OREGON AND SOUTHWEST
WASHINGTON NECA-IBEW
ELECTRICAL WORKERS AUDIT
COMMITTEE,**

Plaintiffs,

v.

VITRO ELECTRIC, LLC,

Defendant,

Case No. 3:20-cv-00589-YY

ORDER

IMMERGUT, District Judge.

On November 6, 2020, Magistrate Judge Youlee Yim You issued her Findings and Recommendations (F&R), ECF 18. The F&R recommends that this Court grant in part Plaintiffs' Motion for Default Judgment, ECF 14. No party has filed objections.

DISCUSSION

Under the Federal Magistrates Act ("Act"), as amended, the court may "accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge."

28 U.S.C. § 636(b)(1). If a party objects to a magistrate judge's F&R, "the court shall make a de

novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* But the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149–50 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc). Nevertheless, the Act “does not preclude further review by the district judge, sua sponte” whether de novo or under another standard. *Thomas*, 474 U.S. at 154.

No party having filed objections, this Court has reviewed the F&R and accepts Judge You’s conclusions. The F&R, ECF 18, is adopted in full. Plaintiffs’ Motion for Default Judgment, ECF 14, is GRANTED IN PART as follows:

Claim One (Late January, February, March 2020 Contributions):

Liquidated damages of \$28,301.00, and interest of \$856.62

Claim Two (Late January, February, March 2020 Wage Withholdings):

Interest of \$100.28

Attorney’s Fees: \$2,980.00

Costs: \$661.35

IT IS SO ORDERED.

DATED this 4th day of January, 2021.

/s/ Karin J. Immergut
Karin J. Immergut
United States District Judge